



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,299	07/17/2003	Matthew L. Andis	012021-9219	2220
23409	7590	11/03/2005		
MICHAEL BEST & FRIEDRICH, LLP 100 E WISCONSIN AVENUE MILWAUKEE, WI 53202			EXAMINER ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	
DATE MAILED: 11/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/621,299	Applicant(s) ANDIS, MATTHEW L.	
	Examiner Ghassem Alie	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-4,6-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-4,6-12 and 14-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2-4, 6-12, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trichell et al. (4,563,814), hereinafter Trichell, Kiyama et al. (JP 402152491A), hereinafter Kiyama, and Laube (6,473,973). Regarding claim 19, Laube teaches a hair clipper 1 including a blade set and a drive mechanism having a drive finger 21. Laube also teaches that the blade set includes a fixed lower blade 9 having a forward edge with a series of teeth 13 and upper and lower surfaces extending from the forward edge of the fixed blade 9. Laube also teaches a movable blade 15 including a forward edge with a series of teeth 16 and upper and lower surfaces extending from the forward edge of the movable upper blade 15. Laube also teaches a drive notch 20 sized to receive the drive finger 21 for movement of the forward edge of the movable blade 15 in relation to the forward edge of the fixed blade 9 during operation of the hair clipper 1. Laube also teaches that the drive notch includes two laterally spaced walls extending between the upper and lower surfaces of the movable blade 15. See Figs. 1-2 and col. 4, lines 1-63 in Laube. Laube also teaches that lower surface of the movable blade 15 is being supported by the upper surface of the fixed blade 9 and includes a pair of integrally formed lower reinforcing rims and a pair of recess portions. Each recess portion is extending outwardly from a respective one of the lower reinforcing rims. It should be noted that the two walls 22 of the notch 20 includes a pair of reinforcing rims. The

reinforcing rims are defined by the bottom portion of the parallel walls 22. Laube also teaches a pair of integrally formed upper reinforcing protrusions. The upper sections of the shoes 22 define the reinforcing protrusions.

Laube does not teach that the upper movable blade is constructed of ceramic. However, the use of ceramic in constructing blades of the cutting head of a hair clipper is well known in the art such as taught by Kiyama. Kiyama teaches blades 2, 3 which are made of ceramic. See the translated abstract in Kiyama. It would have been obvious to a person of ordinary skill in the art to construct the movable blade of Laube's hair clipper from ceramic as taught by Kiyama in order to ensure that the movable blade resists heat and corrosion. In addition, the blade can be made of different materials for different purposes as taught by Kiyama.

Laube, as modified by Kiyama, does not teach a pair of lead-in walls extending between the upper and lower surfaces of the movable blade 6. However, Trichell teaches a pair of lead-in walls extending between the upper and lower surfaces of a movable blade 6 and wherein each lead-in wall extends outwardly and rearwardly from a respective one of laterally spaced walls to a rear edge 22 of the movable blade 6. See Figs. 1 and 2 in Trichell. It would have been obvious to a person of ordinary skill in the art to provide Laube's hair clipper with a pair of lead-in walls, as taught by Trichell, in order to reduce the friction between the drive finger and the walls of the movable upper blade and consequently reduce the wear of the drive finger.

Regarding claim 2, Laube teaches everything noted above including that each upper reinforcing extends upwardly and outwardly from the drive notch 20. See Fig. 1 and in Laube.

Regarding claim 3, Laube teaches everything noted above including that the lower surface of the movable blade 15 includes a pair of integrally formed reinforcing rims and each lower reinforcing rim forms a portion of a respective one of the laterally spaced walls. The lower sections of the shoes 22 have distal ends at the lower surface of the movable blade 15 which are defined as the lower reinforcing rims. See Fig. 1 and in Laube.

Regarding claim 4, Laube teaches everything noted above including that each upper reinforcing protrusion is configured to direct the drive finger 21 toward the drive notch when the drive finger 21 is being drivingly connected to the movable blade 15. See Fig. 1 and in Laube.

Regarding claim 6, Laube teaches everything noted above including that each recessed portion extends outwardly from the respective one of the lower reinforcing rims to a respective one of a pair of sideward edges of the movable blade 15. See Figs. 1 and 2 in Laube.

Regarding claims 7-9, Laube teaches everything noted above including that the lower surface of the movable blade 15 has first, second, and third sections adjacent a respective one of the recessed portions. The first portion extends forwardly from the respective one of recess portions. The section forward to the recessed portions, which forms a chamfered surface for the spring 23 at the upper surface of the movable blade, is defined as the first portion. Laube also teaches that the second portion extends inwardly from the respective one of the recessed

portions. The second portion defined by the surfaces of the lower reinforcing rims. Laube also teaches that the third portion extends rearwardly from the respective one of the recessed portions. The end 29 and a surface of the respective one of the lower reinforcing rims from which the respective one of the recessed portions extends outwardly define the third portion. Laube also teaches that the first, second, and third portions lie in a single plane. See Figs. 1 and 2 in Laube.

Regarding claim 10, Laube teaches everything noted above including that the lower surface of the movable blade 15 includes a substantially planar portion and wherein each of the lower reinforcing rims forms a portion of the substantially planar surface. The recess at the lower surface of the movable blade 15 and on both sides of the laterally spaced walls is defined as a pair of recess portion of the movable blade. The lower reinforcing rims also are defined by the bottom surface of the laterally spaced walls. The lower surface of the lower reinforcing rims forms a portion of substantially planar portion of the lower surface of the movable blade. See Figs. 1-2 in Laube.

Regarding claim 11, Laube teaches everything noted above including that the lower surface of the movable blade 15 includes at least one rearward surface wherein the at least one rearward surface directly engages the upper surface of the lower blade 9.

Regarding claim 12, Laube teaches everything noted above including a pair of apertures 44 extending between the upper and lower surfaces of the movable blade 15 and each aperture 44 extends outwardly from the drive notch 20. See Figs. 1 and 2 in Laube.

Regarding claims 14, Laube, as modified by Trichell, teaches everything noted above including that the lead-in walls are configured to direct the drive finger or the drive shaft

toward the drive notch 26 and the drive finger is drivingly connected to the movable blade 6.
See Figs. 1 and 2 in Trichell.

Regarding claims 15, Laube, as modified by Trichell, teaches everything noted above including that each upper reinforcing protrusion, as taught by Laube, extends upwardly and outwardly from a respective one of the substantially parallel walls from which the respective one of the lead in-walls extends outwardly and rearwardly.

Regarding claims 16-18, Laube teaches everything noted above including a bias member 23 positionable against the upper surface of the movable blade 15 and where in the bias member engages a groove when positioned against the upper surface of the movable blade 15. The groove at the upper surface of the movable blade 26 also has inclined flat surfaces on both sides which define chamfered ends. The chamfered ends of the groove direct the bias member 23 toward the groove during assembly of the blade set 1. Laube also teaches that each of the laterally spaced walls extends in a direction substantially perpendicular to the forward edge of the movable blade 15. See Figs. 1 and 2 in Laube.

Regarding claim 20, Laube, as modified by above, teaches everything in claims 9 and 15-18.

Response to Amendment

3. Applicant's arguments filed on 10/04/04 have been fully considered but they are not persuasive.

Applicant's argument that Laube does not teach that the movable blade has a pair of integrally formed lower reinforcing rims and a pair of recessed portions extending from the lower reinforcing rims is not persuasive. Laube teaches that the drive notch 22 has two

substantially parallel walls 22. The bottom portion of the parallel walls 22 defines the lower reinforcing rims. Laube also teaches that each reinforcing rim forms a portion of a respective one of the substantially parallel walls. Laube also teaches a recessed portion is formed on each one the sides of the drive notch 20. See Figs. 1-2 in Laube.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 3724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).

GA/ga

October 13, 2005



KENNETH E. PETERSON
PRIMARY EXAMINER